

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

JANE DOE 1 et al.,

Plaintiffs,

v.

BAYLOR UNIVERSITY, et al.,

Defendants.

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6:16-CV-173-RP

ORDER

Before the Court in the above-entitled matter is Baylor's Unopposed *Ex Parte* Motion to File Student Records for *In Camera Inspection*, (Dkt. 194); the student records in question; and two non-parties' *ex parte* objections to the disclosure of their protected student information ("Objections"). The motion is hereby **GRANTED**.

Having reviewed the objections and the student records at issue, the Court concludes the records should be produced with certain redactions and omissions. **IT IS THEREFORE ORDERED** that Baylor provisionally redact the names of the students who filed objections, as well as the full names, partial names, and nicknames of any other non-party individuals that appear in the responsive materials.¹ The redacted documents should feature a unique identifying pseudonym for each student (e.g., "Jane Doe 1," "Alleged Assailant 1," "Male Student 1," etc.) so that it is clear throughout the record when a particular individual's name appears more than once. The unique identifying pseudonym must match any pseudonym used in the Amended Complaint, (Dkt. 58), and must be applied for all documents produced to Plaintiffs in this matter. In addition to redacting the names of these individuals, Baylor shall also provisionally redact those individuals' student

¹ The names and associated information of the following individuals should not be redacted: (1) Baylor staff, employees, or professors; (2) officers or other staff of the Baylor University Police Department; or (3) officers or other staff of the Waco Police Department. For these parties, only home addresses should be redacted prior to production to Plaintiffs.

identification numbers (if applicable), Social Security numbers, dates of birth, driver's license numbers, email addresses, physical addresses both on and off campus, license plate numbers, vehicle identification numbers, and phone numbers, as well as the case numbers of any non-university investigations pertaining to those students.

IT IS ORDERED that Baylor produce documents with Bates numbers 015459, 015463, 015466, and any documents substantially identical thereto, with additional redactions. The date that appears on those documents should be redacted.

IT IS FURTHER ORDERED that Baylor produce documents with Bates numbers 015460, 015462, 015465, and any documents substantially identical thereto, with additional redactions. The signature that appears on those documents should be redacted.

IT IS FURTHER ORDERED that Baylor produce documents with Bates numbers 015461 and 015464, as well as any documents substantially identical thereto, with additional redactions. The date that appears in the body of the email reproduced in those documents should be redacted.

IT IS FURTHER ORDERED that Baylor produce documents with Bates numbers 015570, 015679, 015730, and 015895, and any documents substantially identical thereto, with additional redactions. The country name on those documents should be redacted.

IT IS FURTHER ORDERED that Baylor produce the document with the Bates number 015571, and any documents substantially identical thereto, with additional redactions. The partial addresses and descriptions of the location of any address on that document should be redacted.

IT IS FURTHER ORDERED that Baylor produce the document with the Bates number 015891, and any documents substantially identical thereto, with additional redactions. The paragraph beginning "Witness 1 is a friend" should be redacted.

IT IS FURTHER ORDERED that Baylor produce documents with the Bates numbers 016117 and 016118 with additional redactions. With the exception of course names, course numbers, and semester identifiers for the Fall 2014; Spring, Summer, and Fall 2015; Spring and Fall 2016; and Spring, Summer, and Fall 2017 semesters, all information on those documents should be redacted. Non-party student names should be replaced with the unique identifiers described earlier in this order. The same redactions apply to any substantially identical documents.

IT IS FURTHER ORDERED that Baylor may withhold entirely documents with Bates numbers 015880 and 015746, as well as any documents substantially identical thereto.

Plaintiffs may request access to the unredacted records if, after reviewing the documents, they believe arguments exist supporting their entitlement to additional relief under Federal Rule of Civil Procedure 26. In that event, Plaintiffs are directed to file a motion no greater than five pages in length. Defendant's response, which should also not exceed five pages, would be expected within seven days.

In sum, Baylor's Unopposed *Ex Parte* Motion to File Student Records for *In Camera Inspection*, (Dkt. 194), is **GRANTED**. Baylor is **ORDERED** to produce the student records, subject to the limitations described in this order, on or before July 2, 2018.

SIGNED on June 25, 2018.

A handwritten signature in blue ink, appearing to read 'Robert Pitman', written over a horizontal line.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE